



PATENT
ATTORNEY DOCKET NO. 64118.000033

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/693,604 Confirmation No.: 6463
Applicant : Richard ASSAKER et al.
Filed : October 27, 2003
Title : ANTERIOR IMPLANT FOR THE SPINE
TC/Art Unit : 3731
Examiner: : David Owen REIP

Docket No. : 64118.000033
Customer No. : 21967

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants are submitting herewith copies of the references listed on the attached Form PTO-SB/08A for consideration and to be made of record herein by the U.S. Patent and Trademark Office in the above-captioned application.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO/SB/08A with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

Applicants' submission of this Information Disclosure Statement shall not be construed as an admission that the cited references are prior art to the present invention, or that the cited references qualify as printed publications. The submission of this Information Disclosure Statement also shall not be construed as a representation that a prior art search has been performed.

In accordance with 37 C.F.R. § 1.97(b), this Information Disclosure Statement is being submitted prior to a first Office Action on the merits. Therefore, it is believed that no fee is required for consideration of this information. However, in the event any fee is deemed

necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: JUNE 8, 2005

By:



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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/693,604		
Filing Date	10/27/2003						
First Named Inventor	Richard Assaker						
Art Unit	3731						
Confirmation No.	6463						
Examiner Name	David Owen REIP						
Sheet	1	of	2	Attorney Docket Number	64118.000033		
U.S. PATENT DOCUMENTS							
*Examiner Initials	Cite No.	DOCUMENT NUMBER Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
FOREIGN PATENT DOCUMENTS							
*Examiner Initial	Cite No.	FOREIGN PATENT DOCUMENT		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	TRANSLATION	
		Country Code:	Number - Kind Code (if known)			Publication Date MM-DD-YYYY	YES
		WO	94/17744	08-18-1994	Lowery et al.		
OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS							
*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published				TRANSLATION	
		Denis J. DiAngelo et al., "Cervical Plating Systems Reverse Load Transfer Through Multi-Level Strut-Grafts," North American Congress on Biomechanics, University of Waterloo, Waterloo, Ontario, Canada, 3 pages (August 14-18, 1998).					
		510(k) Summary of Safety and Effectiveness in Accordance with SMDA of 1990 Aesculap ABC Cervical Plating System, U.S. Food and Drug Administration, 6 pages, Submitted December 15, 1997.					
		Peak Fixation System, Polyaxial Cervical Plate, 20 pages, © 1998 DePuy Motech, Inc.					
		Kevin T. Foley et al., Abstract of "Anterior Cervical Plating Reverses Load Transfer Through Multi-Level Strut-Grafts," Congress of Neurological Surgeons, Seattle Washington 1998.					
		Kevin T. Foley et al., Abstract of "Anterior Cervical Plating Does Not Prevent Strut Graft Displacement in Multilevel Cervical Corpectomy," Congress of Neurological Surgeons, AANS 1997 Denver.					
		Christopher G. Paramore et al., "Radiographic and Clinical Follow-Up Review of Caspar Plates in 49 Patients," 84 J. Neurosurg. 957-961 (1996).					



Substitute for form 1449A/PTO

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(use as many sheets as necessary)

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Sheet	2	of	2	Attorney Docket Number	64118.000033
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OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	TRANSLATION
		Order on (1) Cross-Motions for Partial Summary Judgment re: Invalidity of the '602 Patent; (2) Plaintiff's Motion for Partial Summary Judgment re: Infringement of the '602 Patent, Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al., Case No. SA CV 03-110-GLT (ANx) (C.D. Cal. filed February 4, 2003).	
		Order on (1) Cross-Motions for Partial Summary Judgment re: Infringement of the '786 Patent; (2) Cross-Motions for Partial Summary Judgment re: Invalidity and Unenforceability of the '786 Patent, Cross Medical Products, Inc. v. Medtronic Sofamor Danek, Inc., et al., Case No. SA CV 03-110-GLT (ANx) (C.D. Cal. filed February 4, 2003).	

EXAMINER SIGNATURE

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.